

0015

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

May 11, 2007

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor *pgl*

FROM: Wayne H. Western, Team Lead *WHW*

RE: Reduce Permit Area Boundary, PacifiCorp, Des Bee Dove Mine, C/015/0017,
Task ID #2795

SUMMARY:

On April 20, 2007, the Division received an amendment from PacifiCorp to remove 20 acres from the permit area of the Des Bee Dove mine. The Permittee wanted the area removed because XTO want to drill an oil well in the area. The Permittee does not want to be liable for any oil and gas development activities.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

PERMIT AREA

Regulatory Requirements: 30 CFR 783.12; R645-301-521.

Analysis:

The Permittee met the requirements for this section of the regulations. The Permittee removed 20 acres from the permit boundary of the Des Bee Dove Mine. They remove the 20 acres because XTO wanted to construct a drill pad and around the pumphouse disturbed area.

The postmining land use for the area was change to industrial on February 26, 2007. The change was done so that site could go through Phase III bond release without having to wait for the 10-year vegetation monitoring requirement.

Phase III bond release was on approved on April 5, 2007 for 2.52 acres. The Permittee requested that an addition 17.48 acres be removed from the permit area so that they could reduce the permit area. They are currently reclaiming the entire mine site and the 20 acre reduction is part of total reclamtion.

Findings:

The information in the proposed amendment is considered adequate to meet the requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

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Permit Area Boundary Maps

The Permittee did not meet the requirements of this section. The Permittee did provide maps that show the updated permit boundary. However, the Permittee did not update all of the maps in the MRP.

The Permittee needs to update all the maps in the MRP to prevent confusion about the permit boundaries.

Findings:

The information in the proposed amendment is not considered adequate to meet the requirements of this section. Before approval, the Permittee must provide the following in accordance with:

R645-301-121.200, The Permittee must update all maps in the MRP that show the permit boundaries. Maps that show the permit boundary but were not included in the amendment include but are not limited to: 1-3, B.C. Seam, 2-12 Vegetation Map, 1-4 Hiawatha Seam and 1-5 Disturbed Area. The Permittee may want to consult with various Division staff members so determine which maps still need to have permit boundaries.

RECOMMENDATIONS:

The Division should deny the amendment until all of the above mentioned deficiencies have been addressed.